

**Village of Sackets Harbor Board Of Trustees
Meeting Minutes February 14, 2012 6:30pm**

Present: Mayor Eric Constance, Deputy Mayor Daniel Frechette, Trustee Lawrence Barone, , Trustee John LaDuc.

Absent: Trustee Peter Daly

At 6:32pm Mayor Constance called the meeting to order with the Pledge of Allegiance.

Public Hearing

At 6:35pm Mayor Constance opened the Public Hearing with regard to renewal of the Time Warner Cable franchise agreement renewal.

Mayor Constance reviewed that the contract is a ten year contract, with 5% gross revenue fee, which is an increase from 1% in the prior contract. He noted that this contract does not have any effect on local user fees

Mayor Constance asked if anyone on the board had any comment.

Mayor Constance asked if anyone in the audience had a comment.

Hearing none, Trustee Barone moved to close the public hearing; seconded by Deputy Mayor Frechette. Vote 4-0 all in favor.

Mayor Constance informed the board that the agreement was reviewed by Attorney Geurtson and asked if anyone would make a motion to approve the resolution to adopt the agreement.

RESOLUTION 2012-2-14-A

In the Matter of the Granting of a Cable Television Franchise Held by **Time Warner Entertainment-Advance/Newhouse Partnership** in the Village of Sackets Harbor, County of Jefferson, New York.

An application has been duly made to the Board of the Village of Sackets Harbor, County of Jefferson, New York, by **Time Warner Entertainment-Advance/Newhouse Partnership ("Time Warner Cable")**, a general partnership organized and existing in good standing under the laws of State of New York doing business at 120 Plaza Drive, Suite D, Vestal, New York 13850 for the approval of an initial agreement for Time Warner's cable television franchise for ten (10) years commencing with the date of approval by the Public Service Commission. The Initial Franchise Agreement conforms with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings.

A public hearing was held in the Village of Sackets Harbor, New York on February 14, 2012 at 6:35 P.M. and notice of the hearing was published in the Watertown Daily Times on January 30, 2012.

NOW, THEREFORE, the Board of the Village of Sackets Harbor finds that:

1. Time Warner has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Time Warner has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Time Warner can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

BE IT FURTHER RESOLVED that the Board of the Village of Sackets Harbor hereby grants the cable television franchise of Time Warner in the Village of Sackets Harbor ten(10) years commencing with the date of approval by the Public Service Commission and expiring ten (10) years hence.

BE IT FURTHER RESOLVED that the Board of the Village of Sackets Harbor hereby confirms acceptance of this Franchise Renewal Agreement.

Trustee Barone moved to approve the resolution to adopt the Time Warner Cable Franchise agreement renewal; Trustee LaDuc seconded the motion. Vote 4-0; all in favor.

Minutes

Mayor reviewed the minutes from January 10, 2012. Deputy Mayor Frechette moved to approve the minutes with minor corrections, Trustee LaDuc seconded the motion. Vote 4-0 in favor.

Mayor's Reports

Mayor Constance asked village engineer to give updates. Village Engineer, Kris Dimmick discussed a design issue with the water filtration plant upgrade. The new filtration process cleans itself while making water which causes a reduction in throughput when it is cleaning itself. If they use three smaller units instead of two large units, they can increase the water production and decrease down time. They will have the final design to the DOH by the first of Marchy.

Mr. Dimmick discussed the sewer outfall pipe is exposed near the surface on the shore, one of the windstorms broke the coupling on the old pipe. The divers have looked at it and the contractor is responsible for putting it back together with additional protection. The weight of the concrete ballast used to hold the pipe on the lake bed is 3300 lbs; the buoyancy of the pipe system reduces it to 2100lbs. There may be additional cost to the village if we add protective measures and improve the strength. The DEC has been notified.

Mr. Dimmick reported that the DEC is close to wrapping things up with Madison Barracks. Mayor Constance noted that the developer hopes to start the apartments around April 1.

Mr. Dimmick as reviewed the design report and suggested improvements for the roads in Madison Barracks. He believes they have come up with a good solution and is looking at conflicts with the existing infrastructure, and lighting system. The light poles shown are different from the poles that are down town and need to be moved to the correct side of the street where the sidewalk is. He discussed using the same poles that are downtown but taller.

Mr. Dimmick reported that the new Sewer Plant received another award for sustainability in communities less than 10,000, from NYWEA

Grant application – Mike Campbell of Madison Barracks

Mr. Campbell would like to apply for the Buy Local Grant from NYS Ag and Markets in conjunction with the Village. Believes it would dovetail perfectly with the Made in NY festival fundraiser. The grant is a small amount of money, only \$18,000 per district, and would have a better chance of getting it if the village worked with him. The deadline is February 23. There was general agreement to support the grant application. Trustee LaDuc moved to authorize Mike Campbell to include the Village in the grant application for Buy Local; Trustee Barone seconded the motion. Vote 4-0; all in favor.

Tax Cap Override

Mayor Constance described the local law which would allow municipality to go beyond the 2% tax levy cap if necessary. He explained that the board will not know if it is needed until the final stages of the budget but an override is required if the tax levy goes up more than 2%. The override is good for that fiscal year only, must go through the same process every year to renew it.

Budget

Mayor Constance set Budget work session – suggest first week of March to meet with treasurer to begin review. The board will meet on 3/8/2012 Thursday, 8:30am, to discuss the budget and any other business that comes before the board at that time.

Police Vehicle

Police Seargent Coseo requested repairs to the 2005 Crown Victoria police vehicle – totaling \$1400. Would like to take it to the same vendor (Jake's) who has worked on it before. Treasurer confirms that it is in the

budget. There was general agreement that bids were not necessary. Deputy Mayor Frechette moved to authorize the repair; Trustee LaDuc seconded the motion. Vote 4-0; all in favor.

Troy & Banks Utility Audit

An additional \$2400 was refunded from National Grid; 50% will be paid to the auditors and the village will keep 50%.

Fourth of July Fireworks

Mayor Constance asked the Clerk to survey the residents and business owners regarding the expense for the Fourth of July fireworks. Should the village continue to have the fireworks or spend the money on other marketing projects for the village.

Scotts Miracle Grow Award – Community Garden Grant \$500-\$1500

Mayor Constance received information on this grant and asked if this was a project that should be attempted. Mike Campbell thought it might be something the Barracks would be interested in.

Mayor Constance thought it would be good for people who do not have gardens of their own because they live in apartments. Deputy Mayor Frechette moved to authorize Mr. Campbell to apply for the grant with the Village and gave authority to Deputy Mayor Frechette to sign the agreement, should it be necessary; seconded by Trustee Barone. Vote 4-0; all in favor.

Mayor Constance noted that Trustee Peter Daly is working with a discussion group on the Hunting in the Village issue.

North Country Affordable Housing is looking for a letter of support. Mayor Constance asked the Village Clerk to put something together.

Economic Development

Mayor Constance reported that there have been 3-4 meetings of the Economic Development Committee. They are working on ways to improve the economy of the village.

Mayor Constance was confident that the village has the resources and the people who can help the village grow and recover.

One idea that was introduced was the possibility of creating a Director of Marketing position. There have been ideas for seasonal business filling empty storefronts, and working with property owners to give shorter leases. They are trying to get new ideas and invite everyone who is interested to participate.

PILOT Program

Payment in Lieu of Taxes. Lawler Development has applied for a ten year, 50% PILOT program with the county. It would help the developer afford to complete the apartment project. Mayor Constance asked the board to review the idea. Mike Campbell noted that it is essential for the project.

Mayor Constance noted that the school is in favor, town is in favor, hope the village will be in favor and the county will approve.

Planning Board Membership terms – Because there has been some turn over on the planning board, and some confusion regarding the terms, the Village Clerk has carefully reviewed the history of the past and current membership and presents these end dates for the terms of the current members.

Chairman Gary Gibson – 12/2015, Jon Vondell – 12/2014, Steve Swain – 12/2015, Anne Nans – 12/2012, Janet Quinn – 12/2016 and Alternate Merle Tousant – 12/2014.

Mayor Constance moved to set these terms; Trustee Laduc seconded the motion. Vote 4-0; all in favor.

Downtown Bathroom Upgrade – DPW Superintendent, Lonny Reinhardt opened bids this morning, received 5 – low bid Bach & Company, however they may be missing insulation. Current bid is \$38,800 without

insulation. Mr. Reinhardt and Village Engineer, Kris Dimmick suggest that Bach have the contract as bid, and have the insulation separated; not to exceed \$2,000.

Anticipate to have the bathroom complete by Memorial Day Weekend. Mayor Constance moved to accept the low bid from Bach and Company and commence; Trustee Barone seconded the motion. Vote 4-0; all in favor.

Fort Pike Grant - contract has been received, signed, and sent back. Mayor Constance would like to see work at visitor center get started as soon as possible. Dave Altieri will work to get the exhibits done in May and DPW will work on the little trail around the berm, the fence and the sign and some plantings. Mr. Altieri has drafted a request for proposal to work on the visitor center exhibits and will work with Lonny on timing for the work on Fort pike. The Clerk will work with the Parks representative and Mr. Altieri on the reimbursement documentation.

1812 Bicentennial Trail and LDC property easements

Resolution to support the grant for the LDC for the trail. Every owner has to be offered just compensation including the village.

Resolution #2012-2-14-B

WHEREAS, the Village of Sackets Harbor is proposing to construct a pedestrian trail in the Village of Sackets Harbor and the Town of Hounsfield known as the Sackets Harbor War of 1812 Bicentennial Trail ; and

WHEREAS, the Village of Sackets Harbor & Sackets Harbor Local Development Corporation are the owners of a certain parcels of land situate in the Village of Sackets Harbor identified as Tax Parcels 88.35-1-4.31 & 88.35-1-4.1 ; and

WHEREAS, the Village of Sackets Harbor has identified a specific need to acquire permanent easements over the tax map parcels afore mentioned for the purposes of construction, operation, and maintenance of said trail; and

WHEREAS, the Village of Sackets Harbor has designated these easements as Parcel 2 as shown on Map 2, Parcel 4 as shown on Map 3 for PIN 7805.25, War of 1812 Bicentennial Trail attached hereto; and

WHEREAS, the Village of Sackets Harbor , at its regular meeting on February 14, 2014 unanimously granted , Mayor Eric Constance the authority to act and sign on behalf of the Village for all necessary business relating to the proposed War of 1812 Bicentennial Trail; and

WHEREAS, the offer of Just Compensation in the amounts of \$ 2,200 for the easement encumbering the areas described in Map 2, Parcel 2, and \$ 8,400 for the easement encumbering Map 3, Parcel 4 were presented to the Village of Sackets Harbor & Sackets Harbor Local Development Corporation President, Don Dimonda, on November 28, 2011.

NOW THEREFORE, the Village of Sackets Harbor hereby waives the offer of Just Compensation in the amount of \$ 2,200 and \$ 8,400, agrees to donate those funds to the Village of Sackets Harbor, and authorizes the execution of all documents necessary to convey the real property interests described on Maps 2 & 3, Parcels 2 and 4. (LDC properties) Authorize Deputy Mayor Frechette to sign any documents necessary to the project . Mayor Constance moved to approve the resolution; Trustee Barone seconded the motion. Vote 4-0; all in favor.

Employee Request

The full time employees have requested the ability to sell back a maximum of two weeks vacation time, annually. Mayor Constance stated that he spoke to the county regarding their practice, and said they do not buy back vacation time. He asked the board to consider a request from employees and asked Trustee John LaDuc to try to get more information from other municipalities and review it next meeting.

Old Business – None

New Business – None

PUBLIC COMMENT

Jane Bardon – Military Road – read email she sent to the board today. She stated she has contacted Slack Chemical regarding the formula, cost and origin and whether there is industrial waste in the fluoride that is put in our water. She was instructed to talk to the owner of the facility and the government agency that oversees fluoride in the water. She has been researching fluoride in the water and trying to avoid fluoride in her water.

Mayor Constance noted that he emailed the engineer who is talking to Mr. Claude Curley in the DOH and hope to come up with some answers. She stated that she has been talking to him for almost a year.

TRUSTEE REPORTS

Deputy Mayor Frechette – reported last weekend the Hockey in the Harbor was cancelled because off lack of ice. Worked with Trustee LaDuc and Karen Mintz of the Joint Recreation Commission regarding his role and organization of summer recreation and youth baseball and basketbabll. He would like to put up dates for baseball sign ups sooner than usual - mid march and have teams organized by early April.

Trustee Barone – reported that the dedication of the peace garden on W. Main street June, 17 at 2pm. 1812 Heroes Banners are all sold out, putting together a waiting list and trying to get more poles from National Grid.

Trustee LaDuc – The Bed Tax meeting is next week. Plan to have lights in Stoodley Park by Spring. The Recreation Commission had it first full year, and is discussing upcoming projects and the budget. Plan to have public meetings to gather input.

Trustee Daly – absent

Treasurer's Report, Jim Yuhas

Treasurer Yuhas reviewed the January 2012 revenues and disbursements.

Receipts - \$373,866.69

Disbursements - \$503,763.74

Total cash in bank - \$111,039.93

Total investments - \$1,440,000.00

Total debt - \$6,665,000.00

Motion to approve the Treasurer's report made by Deputy Mayor Frechette; seconded by Trustee LaDuc. Vote 4-0; all in favor.

Treasurer Yuhas reviewed the billing abstract #9 Vouchers #646-786 = \$210,537.93 (reviewed by Deputy Mayor Frechette and Mayor Constance) Reviewed attorney bills for sewer project, noting that they were part of the budget in the capital fund. Deputy Mayor Frechette moved to approve paying the bills; Trustee Barone seconded the motion. Vote 4-0; all in favor.

Budget Transfers - \$39,000 transferred.

Joint Recreation Commission Budget – Balance = \$16,982.06

DEPARTMENT HEAD REPORTS

DPW Superintendent, Lonny Reinhardt reported that the DPW team is happy with the minimal amount of plowing and salting needed this year and they are keeping busy with the new DPW Garage construction and appointments to replace meters. The new DPW garage should be ready to move in next week. A technician was called to work on the control alarms at the new sewer plant. Have some motor starter problems at the water plant and hope to have it resolved with minimal cost. Only one water main break so far this season; keeping fingers crossed.

Request for the board to get a credit card for purchases from vendors that do not accept vouchers. This last month put three charges on his personal credit card for village business. Deputy Mayor Frechette agreed it was a good idea. Treasurer Yuhas recommend that it be a last resort for payment, not for every vendor, it becomes a prepaid bill when a credit card is used instead of application of voucher and approval from board.

There was general agreement that there should be a limit on the card of \$2500. Trustee Barone suggested creating a written policy regarding credit card use.

Water leak on W. Main Street – Town of Hounsfield crew helped. Mr. Reinhardt noted that the condition of pipe down main street is terrible – 90 year old cast iron pipe. Mayor Constance pointed out that it will need to be replaced, like the 80% of the pipe that has already been replaced. Mr. Reinhardt also noted that the pipes are in the same trench and will have to be separated.

Visitor Center Manager, Gail Gorgen

Reported having 8 bookings of the Bandstand this summer and 1 wedding using the Visitor Center Lawn. Can Am Committee meeting is February 21 at 6pm at the bank. Please come and help.

Chamber of Commerce Events Committee will be looking for another antique auction/vendor.

Mayor also asked if we should look into changing event costs and asked Trustee Barone to look into adjusting this.

Village Police, Chief Richard Coseo

Very very quiet – The Sheriff Data Master needs a new phone line. Ride-along interns from JCC started last week and will ride along for 90 hours.

Heritage Area Director, David Altieri – Zoning Law – changes made by the planning board have been included in the working draft.

Planning Board, Chairman Gary Gibson

Work Session in January meeting tomorrow, have not had a new application in four months despite the mild winter. We are just about finished with the new zoning law, have held four review sessions. Recommend the Village Board take a very close look at it. Will discuss the term expiration dates with the board tomorrow night and will clearly state when the term expires, in the term book.

Hay Memorial Library; President Beth Burdick

Moving ahead with programs – this month hosting 3rd and 4th grade classes – Lincoln's birthday party, and an 1812 program – The Great Rope Carry. Caregivers support group meets second Monday every month, there is a need in the village, spread the word. Private donations allowed the library to pay down another \$5,000 on the rural development loan. Completed the ADA compliance work required by rural development. Total Rural Development debt is \$47,000.

Treasurer Yuhas – Budget Transfers – new accounts that arose have been established, some are just places to hold money for projects like the peace garden that receives donations.

Water needed a \$5,000 transfer for the pumps.

Motion to authorize budget transfers made by Deputy Mayor Frechette; seconded by Trustee Barone. Vote 4-0; all in favor.

Mayor Constance noted that the Town water rates should be discussed at the next budget meeting.

At 8:35pm Trustee LaDuc moved to adjourn the meeting; Trustee Barone seconded the motion. Vote 4-0; all in favor.

Respectfully submitted,
Gertrude Mead Karris
Village Clerk